

Application No. : 09/916,948
Filing Date : July 27, 2001
Amdt. Dated : November 11, 2003
Reply to Office
Action Dated : August 12, 2003

REMARKS

This paper is responsive to the August 12, 2003 Final Office Action. In the Final Office Action, the Examiner allows Claims 6, 10, 13, 17, 20, 24 and 25 and rejects Claims 1-5, 7-9, 11, 12, 14-16, 18, 19 and 21-23. By the foregoing amendments, Applicants have canceled Claims 1-5, 8, 9, 12, 15, 16, 19, 22 and 23. Applicants have amended Claims 7, 10, 11, 14, 18 and 21. Claims 6, 13, 17, 20 and 24 remain as previously presented. Claim 25 remains as originally filed. Applicants have added new Claims 37-40. As discussed below, the amended claims and the new claims do not present any new issues to be examined and are therefore appropriately amended or added in response to a final office action.

For the reasons presented below, Applicants respectfully submit that Claims 6, 7, 10, 11, 13, 14, 17, 18, 20, 21, 24, 25 and 37-40 are in condition for allowance, and Applicants respectfully request the Examiner to pass this application to the issue process with Claims 6, 7, 10, 11, 13, 14, 17, 18, 20, 21, 24, 25 and 37-40.

Discussion of Claims 6, 13, 17, 20, 24 and 25

In the August 12, 2003 Final Office Action, the Examiner allows Claims 6, 13, 17, 20, 24 and 25. Claims 6, 13, 17, 20, 24 and 25 are not amended herein and remain as previously presented or as originally filed. Thus, Applicants respectfully submit that Claims 6, 13, 17, 20, 24 and 25 remain allowable. Applicants respectfully request the Examiner to confirm the allowance of 6, 13, 17, 20, 24 and 25 in response to this paper.

Discussion of Amended Claim 10

In the August 12, 2003 Final Office Action, the Examiner states that Claim 10 is allowed. Applicants previously amended Claim 10 in response to the December 10, 2002 Office Action. In the December 10, 2002 Office Action, the Examiner indicated

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that original dependent Claim 10 would be allowable if rewritten as an independent claim that incorporated the original base claim and any intervening claim. Original Claim 10 depended from original Claim 8, and original Claim 8 depended from original Claim 1. Thus, as stated by Applicants in the response to the December 10, 2002 Office Action, Claim 10 should have been rewritten to include the limitations of original Claims 1, 8 and 10.

In preparing the current response, the undersigned attorney of record determined that independent Claim 10 was inadvertently rewritten in the last response to include the limitations of Claims 1, 9 and 10 rather than to include the limitations of Claims 1, 8 and 10. Since previously presented Claim 10 has different limitations than the limitations the Examiner indicated were allowable, Applicants have amended Claim 10 herein to remove the limitations that correspond to the limitations of original Claim 9 and to insert limitations from original Claim 8. Thus, currently amended independent Claim 10 now has the same scope as original dependent Claim 10, which the Examiner indicated was allowable in the December 10, 2002 Office Action.

In view of the Examiner's previous statement of allowability, Applicants respectfully submit that currently amended Claim 10 remains in condition for allowance, and Applicants respectfully request allowance of currently amended Claim 10.

Discussion of Amended Claim 7

Claim 7 originally depended from Claim 3, which depended from Claim 1. Claim 7 is amended herein to depend from allowed independent Claim 6. Claim 6 was previously amended to include the limitations from original Claims 1 and 3. Thus, Claim 6 provides the antecedent basis for the limitations of amended Claim 7.

In view of the allowance of Claim 6, Applicants respectfully submit that amended Claim 7 is allowable, and Applicants respectfully request allowance of amended Claim 7.

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Discussion of Amended Claim 11

Claim 11 originally depended from Claim 8, which depended from Claim 1. Claim 11 is amended herein to depend from independent Claim 10. As discussed above, Claim 10 is amended herein to include the limitations from original Claims 1 and 8. Thus, currently amended Claim 10 provides the antecedent basis for the limitations of amended Claim 11.

In view of the allowability of amended Claim 10, Applicants respectfully submit that amended Claim 11 is likewise allowable, and Applicants respectfully request allowance of amended Claim 11.

Discussion of Amended Claim 14

Claim 14 originally depended from Claim 12, which depended from Claim 1. Claim 14 is amended herein to depend from allowed independent Claim 13. Claim 13 was previously amended to include the limitations from original Claims 1 and 12. Thus, Claim 13 provides the antecedent basis for the limitations of amended Claim 14.

In view of the allowance of amended Claim 13, Applicants respectfully submit that amended Claim 14 is allowable, and Applicants respectfully request allowance of amended Claim 14.

Discussion of Amended Claim 18

Claim 18 originally depended from Claim 15, which depended from Claim 1. Claim 18 is amended herein to depend from allowed independent Claim 17. Claim 17 was previously amended to include the limitations from original Claims 1 and 15. Thus, Claim 17 provides the antecedent basis for the limitations of amended Claim 18.

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In view of the allowance of Claim 17, Applicants respectfully submit that amended Claim 18 is allowable, and Applicants respectfully request allowance of amended Claim 18.

Discussion of Amended Claim 21

Claim 21 originally depended from Claim 19, which depended from Claim 1. Claim 21 is amended herein to depend from allowed independent Claim 20. Claim 20 was previously amended to include the limitations from original Claims 1 and 19. Thus, Claim 20 provides the antecedent basis for the limitations of amended Claim 21.

In view of the allowance of Claim 20, Applicants respectfully submit that amended Claim 21 is allowable, and Applicants respectfully request allowance of amended Claim 21.

Discussion of New Claim 37

New Claim 37 generally corresponds to original Claim 4, which is canceled herein. Original Claim 4 depended from original Claim 3, and original Claim 3 depended from original Claim 1. As discussed above, allowed Claim 6 includes the limitations of Claims 1 and 3. Thus, Claim 6 provides the antecedent basis for new Claim 37.

In view of the allowance of Claim 6, Applicants respectfully submit that new Claim 37 is allowable, and Applicants respectfully request allowance of new Claim 37.

Discussion of New Claim 38

New Claim 38 generally corresponds to original Claim 5, which is canceled herein. Original Claim 5 depended from original Claim 4. New Claim 38 depends from new Claim 37.

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As discussed above, new Claim 37 is allowable. Therefore, Applicants respectfully submit that new Claim 38 is likewise allowable. Applicants respectfully request allowance of new Claim 38.

Discussion of New Claim 39

New Claim 39 generally corresponds to original Claim 9, which is canceled herein. Original Claim 9 depended from original Claim 8, and original Claim 8 depended from original Claim 1. New Claim 39 depends from independent Claim 10. As discussed above, Claim 10 is amended herein to include the limitations from original Claims 1 and 8. Thus, currently amended Claim 10 provides the antecedent basis for the limitations of new Claim 39.

In view of the allowability of amended Claim 10, Applicants respectfully submit that new Claim 39 is likewise allowable, and Applicants respectfully request allowance of new Claim 39.

Discussion of New Claim 40

New Claim 40 generally corresponds to original Claim 16, which is canceled herein. Original Claim 16 depended from original Claim 15, and original Claim 15 depended from original Claim 1. Allowed Claim 17 was previously amended to include the limitations of original Claims 1 and 15. Thus, Claim 17 provides the antecedent basis for new Claim 40.

In view of the allowance of Claim 17, Applicants respectfully submit that new Claim 40 is allowable, and Applicants respectfully request allowance of new Claim 40.

Summary of Current Response

Applicants have canceled finally rejected Claims 1-5, 8, 9, 12, 15, 16, 19, 22 and 23. Applicant have amended finally rejected Claims 7, 11, 14, 18 and 21 to depend the

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claims from allowed or allowable claims. Applicants have amended Claim 10 to remove limitations inadvertently included in the previous amendment and to insert limitations that the Examiner previously indicated would place Claim 10 in a condition for allowance. Applicants have added new Claims 37-40 to depend from allowed or allowable claims. The amended claims and the new claims do not introduce any new issues that would require further consideration or a new search. Thus, the amended claims and the new claims are properly presented for examination in response to the August 12, 2003 Final Office Action.

In view of the amended claims, the new claims and the foregoing remarks, Applicants respectfully submit that the present application is in condition for allowance with Claims 6, 7, 10, 11, 13, 14, 17, 18, 20, 21, 24, 25 and 37-40. Applicants respectfully request the Examiner to pass the present application to the issue process.


Request for Telephone Interview

If there is any further impediment to the prompt allowance of all the claims pending in the present application that can be resolved by a telephone interview, Applicants respectfully request the Examiner to call the undersigned attorney of record at 949-721-2849 or at the general office telephone number listed below.

Respectfully submitted,
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: NOVEMBER 12, 2003

By:


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